

### **Statement in Response to Motion to Intervene by State Treasurer Allison Ball**

Kentucky Retirement Systems (KRS) Executive Director William A. Thielen approved the payment of the legal fees for trustees who are parties in the case under Kentucky Revised Statutes 61.645(2)(g). The issues involved arise out of the performance of their duties as trustees.

KRS 61.645(2)(g) states: "The board shall reimburse any trustee, officer, or employee for any legal expense resulting from a civil action arising out of the performance of his official duties."

Further, KRS was named as a defendant in the suit for two reasons: 1) so that the Board of Trustees would be bound by the terms of any temporary injunction that might be issued; and, 2) so that the Board of Trustees would be bound by an order of the court supporting the payment of legal fees under KRS 61.645(2)(g).